

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

FEB - 6 2012

PATRICIA PRESLEY, COURT CLERK
by _____ DEPUTY

STATE OF OKLAHOMA, ex rel.
JOHN DOAK, Insurance Commissioner,

Plaintiff,

v.

EAGLE INSURANCE AGENCY HOLDINGS, LLC A
resident producer and managing general agent,

Defendant.

Case No. CV-2010-860

Judge: Barbara G. Swinton

ASSISTANT RECEIVER'S REPORT ON CLAIMS READY TO BE ADJUDICATED AND
RECOMMENDATION TO THE DISTRICT COURT
FOR ALLOWANCE OF SUCH CLAIM

John Doak, Insurance Commissioner, as Receiver of Eagle Insurance Agency Holdings, LLC, through Assistant Receiver, Donna L. Wilson, pursuant to 36 O.S. § 1918 respectfully submits to this Court the Assistant Receiver's Report on Claims Ready to be Adjudicated and Recommendation to the District Court for Allowance of Such Claim, and in support thereof, would show the Court as follows:

BACKGROUND

1. On October 20, 2010, the Insurance Commissioner of the State of Oklahoma was appointed as Receiver of Eagle Insurance Agency Holdings, LLC (hereinafter "EIA"). John Doak, the current Insurance Commissioner, is acting in his capacity as Receiver of EIA.
2. On April 12, 2011, this court entered its Order of Findings of Fact and Conclusions of Law Journal Entry Granting Plaintiffs Application for Order of Receivership and Order of Liquidation. As such, the Receiver is charged with

liquidating the estate, marshalling the assets, and collecting all monies due EIA for the benefit of EIA and its creditors.

3. On July 22, 2011, this court entered its Order Approving Receiver's Combined Application for Approval of (a) Notice of Liquidation, (b) Form of Proof of Claim & Instructions, (c) Form of Unconditional Assignment and Application for Approval of Receiver's Claims Reporting and Evaluation Plan. This Order established the claims filing bar date of October 9, 2011, the Receiver's Report on Timely Filed Claims to be filed by December 9, 2011, and the Receiver's First Claims Evaluation and Request for Confirmation on Claims ready to be adjudicated to be filed by February 9, 2012. Furthermore, the Order required the Receiver, no less than every (3) months thereafter, beginning with 01/09/13, to submit supplemental claims evaluation and request for confirmations on claims ready to be adjudicated.
4. On November 1, 2011, the Assistant Receiver, Donna L. Wilson, filed the Receiver's Report on Timely Filed Claims. The Receiver's report on timely filed claims evidenced the mailing of over 181 proofs of claims and the receipt of approximately 7 timely filed proofs of claims.
5. The Assistant Receiver informs the Court that one (1) Class 6 claim is ready for adjudication at this time. At this time the Receiver has not adjudicated the other claims received as negotiations in other matters may affect the Receiver's recommendation on those claims. Pursuant to O.S. § 1927.1, Class 6, is "Claims of any person, including claims of state or local governments, except those specifically classified elsewhere in the section".

6. The Assistant Receiver has notified Class 6 claimant of the treatment of the claim. Attached as Exhibit "1" is the form letter the Assistant Receiver mailed to the Class 6 claimant evidencing the notice of acceptance or rejection of the claim. Claimant was provided 15 days to object to the Assistant Receiver's allowance of the claim. No objection was made to the Assistant Receiver's recommendation on the Class 6 claim.
7. The Assistant Receiver has not completed marshalling all of EIA assets. Therefore, this Report does not address the actual distribution of assets that may ultimately be made to the creditors and beneficiaries of EIA.

EXPLANATION OF RECEIVER'S RECOMMENDATION

1. Attached hereto is Exhibit "2" detailing the Assistant Receiver's recommendation on the Class 6 Claim ready for adjudication. At this time the Assistant Receiver is recommending the Class 6 claim be allowed in the amount of \$567.50.
2. The Assistant Receiver has notified Class 6 claimant identified on Exhibit "2" of the intended recommendation and no objections were made.
3. Considering the due process required by 36 O.S. § 1918, the Assistant Receiver ask the court to set a hearing on the allowed claim and establish a date certain for filing an objection to the Assistant Receiver's recommendation.

WHEREFORE, the Assistant Receiver prays that this Court enter an Order for the following: 1) order that notice of opportunity to object and be heard on the claim on the Exhibit "2" be given by the Assistant Receiver; 2) establish a date for filing an objection to the recommendation of the Assistant Receiver; 3) establish a date for hearing the Assistant Receiver's recommendation to the court and any objections thereto; 4) upon the hearing any

objections thereto, enter an order approving the Assistant Receiver's Report; and 5) such other relief as the Court deems appropriate.

Respectfully submitted,



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AND

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ATTORNEYS FOR PLAINTIFF,
STATE OF OKLAHOMA, EX REL
JOHN DOAK, INSURANCE COMMISSIONER
FOR THE STATE OF OKLAHOMA, AS RECEIVER
FOR EAGLE INSURANCE AGENCY HOLDINGS, LLC

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served via United States mail, postage prepaid and property addressed, on the 27th day of February, 2012 upon the following:

Owen Laughlin
Oklahoma Insurance Department
3625 NW 56th Suite 100
Oklahoma City, OK 73112

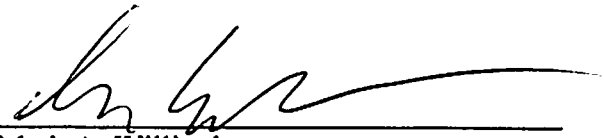
Mark Blasdel
Attorney at Law
601 N. W. 13th
Oklahoma City, OK 73103

Oklahoma Receivership Office, Inc.
3 Corporate Plaza
3613 NW 56th, Suite 330
Oklahoma City, OK 73112

Brian E. Dittrich
Dittrich Law Firm, PLLC
320 S Boston, Suite 825
Tulsa, OK 74103

Jerry Lancaster
1524 East Wick Lane
Plano, TX 75093

Stephen Jones
Jones, Otjen & Davis
114 E Broadway, Suite 1100
Enid, OK 73702


Mark A. Willingham

Eagle Insurance Agency Holdings LLC
in Receivership
3613 NW 56, Suite 330
Oklahoma City, OK 73112

Donna L. Wilson, CIR-ML
Assistant Receiver

Date: 1/10/2012

Connecticut Department of Revenue Service
C&E Division, Bankruptcy Section
25 Sigourney Street
Hartford, CT 06106-5032

NOTICE OF DETERMINATION

Re: Eagle Insurance Agency Holdings LLC, in Receivership (EIA)
Proof of Claim Number: 101
Date of Occurrence: 12/1/2009
Amount Claimed: \$567.50

The Assistant Receiver of Eagle Insurance Agency Holdings LLC, in Receivership, on behalf of John Doak, Commissioner of Insurance of the State of Oklahoma as Court appointed Receiver of the company in liquidation, has evaluated your Proof of Claim and supporting documentation. Based on that review, it is the recommendation of the Receiver that your claim be allowed, in the amount of \$567.50 at the Class 6 (general creditor priority level pursuant to Oklahoma Insurance Statutes, Title 36, 1927.1, sub paragraph 6.

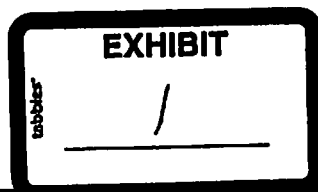
The allowance of your claim in an amount certain may not represent the amount that will be paid by the Eagle Insurance Agency Holdings LLC, in Receivership. At this time it cannot be determined if your claim will be paid in full, or if a partial payment or if any payment will be made. The Receiver will make this determination prior to a distribution, based on the value of all allowed Class 6 claims relative to assets available for distribution.

If you agree with the Receiver's recommendation for the allowance of your claim in the amount stated above, no further action is required on your part. You will be contacted by this office when a distribution, if any, is made.

If you disagree with the Receiver's recommendation that your claim be allowed in the amount stated above, you must file a written objection with the Receiver on or before the 15th day from the mailing date of this notice. A written objection shall be deemed "filed" with the Receiver on the date it is received in the Assistant Receiver's Office. Your written objection should be made on the attached form and sent to the Receiver at the address below. If your objection cannot be resolved informally, you will receive written notice of the date at which a hearing on your objection will be conducted by the Receivership Court in Oklahoma City.

To ensure you can be contacted, keep this office informed of any changes of your mailing address. All questions, comments, and objections must be submitted in writing.

No telephone inquiries will be accepted. Please refer to your Proof of Claim number in all correspondence.



EAGLE INSURANCE AGENCY HOLDINGS LLC IN RECEIVERSHIP

Donna L. Wilson, CIR-ML
Assistant Receiver

Notice of Determination Mailing Date: 1/10/2012

Objection Form Returned/Filed Date:

OBJECTION FORM

Proof of Claim Number: 101

Claim Number:

DO NOT RETURN THIS FORM IF YOU AGREE WITH THE RECEIVER'S RECOMMENDATION:

If you do object to the Receiver's recommendations, complete and return this form no later than fifteen (15) days from the mailing date of the Notice of Determination. Only written objections will be considered. A written objection is deemed "filed" with the Receiver on the date it is received in the Assistant Receiver's office, which address is at the bottom of this page.

State the reason(s) for your objection, attaching additional pages as necessary. Include any and all evidence you wish to submit in support of your objection. Please complete the bottom of this form.

Name: _____

Signature: _____

Address: _____

Date: _____

City: _____

Phone: _____

State: _____

Zip Code _____

EXHIBIT

1

Claims Allowed By Class

Claim Class: 6

Claimant Name	Address	POC #	Claim/Policy #	Amount Claimed	Amount Allowed
Connecticut Department of Revenue Service Timely Filed? <u>Yes</u>	C&E Division, Bankruptcy Section 25 Sigourney Street Hartford, CT 06106-5032	101		\$567.50	\$567.50
Class 6 Totals:				\$567.50	\$567.50
Total Claims:				\$567.50	\$567.50

